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6 **UNITED STATES DISTRICT COURT**

7 **DISTRICT OF NEVADA**

8 BRANCH BANKING & TRUST CO.,)

9 Plaintiff,)

10 vs.)

11 REGINA HOMES, LLC et al.,)

12 Defendants.)

2:12-cv-00451-RCJ-GWF

13 **ORDER**

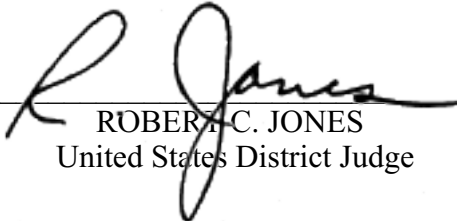
14 This is an action for deficiency after foreclosure of real estate and breach of guaranty.
15 Pending before the Court is a Motion to Stay (ECF No. 52). The motion is ripe. The Court
16 grants the motion to stay for the reasons recently given in another case pending before the Court.
17 *See Eagle SPE NV I, Inc. v. Kiley Ranch Cmtys.*, No. 3:12-cv-00245, 2013 WL 1792329, at *3–4
18 (D. Nev. Apr. 25, 2013) (Jones, C.J.). Here, as in *Eagle SPE NV I*, the retroactive effect of
19 Assembly Bill 273 upon section 40.459 of the Nevada Revised Statutes, the state statute that
20 governs limits upon deficiency judgments, may be determinative of the amount for which
21 Defendants can be held liable in this case. Consolidated oral arguments in two cases before the
22 Nevada Supreme Court, *Sandpointe Apartments, LLC v. Dist. Ct.*, No. 59507 and *Nielsen v. Dist.*
23 *Ct.*, No. 59823, were held on October 1, 2012, and the case was submitted for decision. Because
24 the rulings on the state statute in those cases may be determinative of the present case, and
25 because the ruling is expected before long, the Court agrees that a stay is appropriate.

CONCLUSION

IT IS HEREBY ORDERED that the Motion to Stay (ECF No. 52) is GRANTED.

IT IS SO ORDERED.

Dated this 28th day of May, 2013.



ROBERT C. JONES
United States District Judge